



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, Utah 84631



In Reply Refer to:
3809(U-010)

April 30, 2008

CERTIFIED MAIL 7007 0710 0002 5252 2550
RETURN RECEIPT REQUESTED

Tri Valley Construction LLC
Ardell C Allred
2789 W 1800 N
Clinton UT 84015

RECEIVED

MAY 02 2008

DIV. OF OIL, GAS & MINING

Dear Mr. Allred

On April 22, 2008 the Fillmore Field Office (FFO) Bureau of Land Management (BLM) received a copy of a notice to commence small mining operations ("notice") in section 33, Township 11 South, Range 6 West, Salt Lake Baseline and Meridian, Juab County, Utah; we received the "notice" from the Utah Division of Oil, Gas and Mining. Your "notice" included a copy of a mining claim location so presumably you wish to mine under the surface management regulation 43 CFR § 3809. The Code of Federal Regulations 43 CFR § 3809.11(a) states "You must submit a plan of operations and obtain BLM's approval before beginning operations greater than casual use . . ." The information required to be included in the Plan of Operations is found in 43 CFR 3809.401 (b) (copy attached).

The material you are interested in mining, stone, is normally considered a common variety mineral and subject to sale under the mineral materials disposal regulations 43 CFR § 3600. As described in 43 CFR § 3602.11 "To request a sale of mineral material you may submit a written request for sale of mineral materials to the BLM office with jurisdiction over the site containing the materials." If your intent is to purchase the material, please include the location, a description of the material, the amount of material you would like to purchase, and the length of time you would like the sales contract to run, as part of your written request.

According to the § 3809 surface management regulations when operations are proposed for minerals that may be common variety minerals special provisions apply. 43 CFR § 3809.101 (a) states: ". . . On mining claims located on or after July 23, 1955, you must not initiate operations for minerals that may be "common variety" minerals, as defined in § 3711.1 (b) of this title, until BLM has prepared a mineral examination report, except as provided in paragraph (b) of this section." The mineral examination report is subject to cost recovery under 43 CFR § 3000.11. The processing fee for the mineral examination must be paid in full by you prior to issuance of the final mineral examination document and if warranted approval of your plan of operations.

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Please submit either the Plan of Operations or Written Request for Mineral Material Purchase in order to allow the FFO to begin processing your request to operate. If you have any questions regarding this letter, please call Jerry Mansfield, Geologist Fillmore Field Office at (435) 743-3125.

Sincerely,



For: Sherry K. Hirst
Field Office Manager

cc:

Leslie Heppler

UDOGM
1594 W North Temple Ste 1210
SLC, UT. 84114-5801

Michael Jackson
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150 E 900 N
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Sec. 3809.401 *Where do I file my plan of operations and what information must I include with it?*

(a) If you are required to file a plan of operations under Sec. 3809.11, you must file it with the local BLM field office with jurisdiction over the lands involved. BLM does not require that the plan be on a particular form. Your plan of operations must demonstrate that the proposed operations would not result in unnecessary or undue degradation of public lands.

(b) Your plan of operations must contain the following information and describe the proposed operations at a level of detail sufficient for BLM to determine that the plan of operations prevents unnecessary or undue degradation:

(1) Operator Information. The name, mailing address, phone number, taxpayer identification number of the operator(s), and the BLM serial number(s) of any unpatented mining claim(s) where disturbance would occur. If the operator is a corporation, you must identify one individual as the point of contact. You must notify BLM in writing within 30 calendar days of any change of operator or corporate point of contact or in the mailing address of the operator or corporate point of contact;

(2) Description of Operations. A description of the equipment, devices, or practices you propose to use during operations including, where applicable.

(i) Maps of the project area at an appropriate scale showing the location of exploration activities, drill sites, mining activities, processing facilities, waste rock and tailing disposal areas, support facilities, structures, buildings, and access routes;

(ii) Preliminary or conceptual designs, cross sections, and operating plans for mining areas, processing facilities, and waste rock and tailing disposal facilities;

(iii) Water management plans;

(iv) Rock characterization and handling plans;

(v) Quality assurance plans;

(vi) Spill contingency plans;

(vii) A general schedule of operations from start through closure; and

(viii) Plans for all access roads, water supply pipelines, and power or utility services;

(3) Reclamation Plan. A plan for reclamation to meet the standards in Sec. 3809.420, with a description of the equipment, devices, or practices you propose to use including, where applicable, plans for.

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(i) Drill-hole plugging;

(ii) Regrading and reshaping;

(iii) Mine reclamation, including information on the feasibility of pit backfilling that details economic, environmental, and safety factors;

(iv) Riparian mitigation;

(v) Wildlife habitat rehabilitation;

(vi) Topsoil handling;

(vii) Revegetation;

(viii) Isolation and control of acid-forming, toxic, or deleterious materials;

(ix) Removal or stabilization of buildings, structures and support facilities; and

(x) Post-closure management;

(4) Monitoring Plan. A proposed plan for monitoring the effect of your operations. You must design monitoring plans to meet the following objectives: To demonstrate compliance with the approved plan of operations and other Federal or State environmental laws and regulations, to provide early detection of potential problems, and to supply information that will assist in directing corrective actions should they become necessary. Where applicable, you must include in monitoring plans details on type and location of monitoring devices, sampling parameters and frequency, analytical methods, reporting procedures, and procedures to respond to adverse monitoring results.

Monitoring plans may incorporate existing State or other Federal monitoring requirements to avoid duplication. Examples of monitoring programs which may be necessary include surface- and ground-water quality and quantity, air quality, revegetation, stability, noise levels, and wildlife mortality; and

(5) Interim management plan. A plan to manage the project area during periods of temporary closure (including periods of seasonal closure) to prevent unnecessary or undue degradation. The

interim management plan must include, where applicable, the following:

(i) Measures to stabilize excavations and workings;
(ii) Measures to isolate or control toxic or deleterious materials (See also the requirements in Sec. 3809.420(c)(12)(vii).);

(iii) Provisions for the storage or removal of equipment, supplies and structures;

(iv) Measures to maintain the project area in a safe and clean condition;

(v) Plans for monitoring site conditions during periods of non-operation; and

(vi) A schedule of anticipated periods of temporary closure during which you would implement the interim management plan, including provisions for notifying BLM of unplanned or extended temporary closures.

(c) In addition to the requirements of paragraph (b) of this section, BLM may require you to supply.

(1) Operational and baseline environmental information for BLM to analyze potential environmental impacts as required by the National Environmental Policy Act and to determine if your plan of

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operations will prevent unnecessary or undue degradation. This could include information on public and non-public lands needed to characterize the geology, paleontological resources, cave resources, hydrology, soils, vegetation, wildlife, air quality, cultural resources, and socioeconomic conditions in and around the project area, as well as information that may require you to conduct static and kinetic testing to characterize the potential for your operations to produce acid drainage or other leachate. BLM is available to advise you on the exact type of information and level of detail needed to meet these requirements; and

(2) Other information, if necessary to ensure that your operations will comply with this subpart.

(d) Reclamation cost estimate. At a time specified by BLM, you must submit an estimate of the cost to fully reclaim your operations as required by Sec. 3809.552. BLM will review your reclamation cost estimate

and notify you of any deficiencies or additional information that must be submitted in order to determine a final reclamation cost. BLM will notify you when we have determined the final amount for which you must provide financial assurance.